

REMARKS

Claims 1-5, 10-12 and 21-32 are pending in this application. By this Amendment, claim 1 is amended to recite additional features disclosed in the specification at, for example, paragraph [0047]. Claim 1 is also amended to delete certain features that are to be recited in new independent claims 21 and 25, as discussed below.

Similarly, claim 10 is amended to recite additional features disclosed in the specification at, for example, paragraph [0047], and to delete features to be recited in new independent claims 29 and 31, as discussed below.

New independent claims 21 and 25 are added to recite the subject matter deleted from claim 1. New dependent claims 22-24 are added to correspond to claims 3-5, but to depend from claim 21. Similarly, new dependent claims 26-28 are added to correspond to claims 3-5, respectively, but to depend from claim 25.

New independent claims 29 and 31 are added to recite the subject matter deleted from claim 10. New dependent claims 30 and 32 are added to correspond to claim 12, but to depend from claims 29 and 31, respectively.

Claims 6-9 and 13-20 are canceled due to the finality of the Restriction Requirement.

No new matter is added. Reconsideration of the application is respectfully requested.

The Examiner is respectfully requested to consider the references submitted with the April 14, 2008 Information Disclosure Statement.

The Office Action rejects claims 1-5 and 10-12 under 35 U.S.C. §103(a) over JP2001-085203 to Mitsumune in view of JP10291814 to Toshiyuki et al. This rejection is respectfully traversed.

The Office Action recognizes that Mitsumune does not disclose or suggest "a residual material of a synthetic carbonaceous material including fullerenes generated in the preparation process of fullerenes from which at least a part of the fullerenes is removed," as

The cited portion of Toshiyuki only discloses a method for synthesizing fullerenes by a breakdown reaction. This method does not disclose a process in which at least a part of the fullerenes is removed. Thus, Toshiyuki does not disclose or suggest "a residual material of a synthetic carbonaceous material including fullerenes generated in the preparation process of fullerenes from which at least a part of the fullerenes is removed," as recited in claim 1, and similarly recited in claim 10. Therefore, Toshiyuki does not supply the subject matter lacking in Mitsumune.

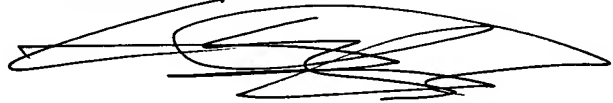
To expedite prosecution, claims 1 and 10 are amended to recite additional features to further distinguish Mitsumune and Toshiyuki. Accordingly, withdrawal of the rejection of claims 1 and 10, and claims 2-5, 11 and 12 depending therefrom, under 35 U.S.C. §103(a) is respectfully requested.

New claims 21-32 are believed to be patentable. For example, Mitsumune and Toshiyuki do not disclose or suggest "a compound having a molecule skeleton formed of a carbon cluster, which has at least one 5-membered ring, at least one 6-membered ring and has an open end," as recited in claim 21, and similarly recited in claim 29. Also, Mitsumune and Toshiyuki do not disclose or suggest "a carbonaceous compound having a non-peak distribution due to its amorphous structure in a region where 2θ is 30° or less in an X-ray diffraction spectrum," as recited in claim 25, and similarly recited in claim 31.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 10-12 and 21-32 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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